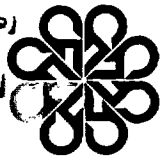


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# The Conservation Foundation

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April 15, 1987

Kenneth Kalman  
Office of Nuclear Material  
Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
Mail Stop 623SS  
Washington, D.C. 20555

WM Record File <u>D-1056</u>	WM Project Docket No. <u>X</u>
	PDR <u>X</u>
	XLPR <u>X</u>
Distribution:	<u>Jean Tait</u>
<u>Kalman Bender</u>	
<u>RPM</u>	<u>ALTERNATE</u>
(Return to WM, 623-SS)	

Dear Ken:

Enclosed is the progress report for the first 40 days of the convening stage of the LSS negotiated rulemaking effort. As the report indicates, the project is generally proceeding as planned and we are making good progress in gathering the information that will be necessary to make our assessment.

I have also sent copies of the report to Chip Cameron and Lucy Swartz. At Chip's suggestion, I will rely on you or Chip to distribute it to others at NRC.

Please let me know if you have any questions about the any aspects of the report.

Sincerely,

Timothy J. Mealey  
Associate

Enclosure

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Toward completing these subtasks, the convening team has conducted meetings with representatives of the following organizations, on the dates and in the general locations indicated:

<u>Date</u>	<u>Organization</u>	<u>Location</u>
2/24/87	Nuclear Regulatory Commission	Silver Spring, MD
3/3/87	Department of Energy	Washington, D.C
3/4/87	Edison Electric Institute and the Utility Nuclear Waste Management Group	Washington, D.C.
	National Congress of American Indians (NCAI)	Washington, D.C.
	Nuclear Regulatory Commission	Washington, D.C
3/10/87	NCAI and brief meetings with representatives of "First Round Affected Tribes"	Washington, D.C.
3/23/87	Nuclear Regulatory Commission	Bethesda, MD
3/24/87	Yakima Indian Tribe	Washington, D.C.
	Sierra Club	Washington, D.C.
3/30/87	State of Texas	Amarillo, TX
	Deaf Smith County	Amarillo, TX
	Oldam County	Amarillo, TX
	Potter County	Amarillo, TX
	Representatives of local community, economic and environmental interest groups	Amarillo, TX

Mr. Bellman has also interviewed representatives of the National Association of Regulatory Utility Commissioners and the states of Wisconsin and Minnesota. Letters of introduction requesting a response from other "second round states" that had not submitted comments to the NRC's notice of intent were mailed on 3/30/87 to representatives of the states of Georgia, Maine, New Hampshire, North Carolina, Virginia, and Wisconsin. Finally, the convening team has scheduled the following appointments during the remainder of convening stage:

<u>Date</u>	<u>Organization</u>	<u>Location</u>
4/7/87	Department of Energy	Washington, D.C.
	Atomic Industrial Forum	Washington, D.C.
4/8/87	Edison Electric Institute	Washington, D.C.
4/21/87	State of Nevada	Carson City, NV
4/22/87	Environmental Defense Fund	Denver, CO
	National Conference of State Legislatures	Denver, CO
5/4/87	State of Washington	Olympia, WA
	Friends of the Earth	Seattle, WA
5/5/87	Nez Perce Tribe	Richland, WA
	Umatilla Tribes	Pendleton, OR
5/6/87	State of Oregon	Salem, OR

In summary, the convening team is well on its way toward completing convening stage subtasks 1.1 and 1.2. As described further below, the project is currently on schedule for presentation of the convenor's feasibility report (subtasks 1.3 and 1.4).

Cost Expenditures and Projections

The following is an estimate of the expenditures of the CF team during the first 40 days of the contract period from February 23, 1987 to April 3, 1987.

<u>CF Staff</u>	hours	rate	subt	total
Davies	0	40	0	
Bingham	4	26	104.00	
Mealey	50	15	750.00	
Secretary	0	10	0	
Salaries			854.00	
Benefits (40% salaries)			341.60	
Overhead (70% sal. + ben.)			836.92	
Subtotal			2,032.52	2,032.52
<u>CF Direct Expenses</u>				
Xerox			90.00	
Postage and Shipping			17.38	
Telephone			100.00	
Subtotal			207.38	207.38

CF Subcontracts

<u>Howard S. Bellman</u>	hrs	rate	subt	
Time	120	75	9,000.00	
Expenses			2,579.30	
Subtotal			<u>11,579.30</u>	11,579.30
<u>TechLaw, Inc.</u>				
Low	46	78.79	3,624.34	
Balcom	2	48.15	96.30	
Eaton	0	39.87	0	
Time			<u>3,720.64</u>	
Expenses			710.00	
Subtotal			<u>4,430.64</u>	<u>4,430.64</u>
TOTAL				18,249.84

Project expenditures as of April 3, 1987 amount to approximately 35% of the total project budget for the convening phase. This amount is on target with the level of effort required for completion of the tasks during this phase.

Project Management

Reporting requirements for this project include an obligation to identify any significant problems and resulting actions contemplated by CF. As described in the task order and CF's work plan, the term "problem" refers to any programmatic or staffing issue, either anticipated or unanticipated, which may affect the process or end results of the project in at least one of the following areas: 1) performance, 2) cost, and 3) timing.

The Conservation Foundation has identified a potential shift in project expenditures from those estimated in the original budget. Mathew A. Low of TLI Systems, Incorporated (a subsidiary of TechLaw) is contributing more to the project in terms of level of effort than had been estimated in the original budget. At this time, this does not seem to cause a problem in terms of the overall costs because other members of the team, including other TechLaw personnel and Gail Bingham, are spending less time during this phase than had been estimated in the original budget.

A second problem we have identified is a scheduling problem which will affect project timing only slightly. As previously agreed, the convening team is scheduled to present its findings to the NRC on May 15, 1987. Because of the difficulties involved in scheduling on-site interviews with representatives of the various parties who may participate in the regulatory negotiation, it became necessary to schedule one of these trips during the week of May 4, 1987. In addition, as described in the approved work plan, the Foundation has a long standing policy which requires executive management review of all significant work products. In keeping with this policy, the convenor report

will require CF executive management review. Because of management schedules and other matters,\* the Foundation proposes to make a verbal presentation of its findings on or about May 15, and to submit a written report to NRC the week of May 25. Such a schedule will allow time for integrating the results of the last interviews, drafting the report, and executive management review.

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\* The foundation is moving into a new office on May 16 and 17, 1987. Our first day in the new office will be May 18, 1987.